IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.436 OF 2006
IN
SUIT NO. 381 OF 2006

Sameer Motilal Savla ..Plaintiff

Vs.

Bharti Mulchand Chheda ..Defendant

Tripti Gohil for Plaintiff

CORAM: S.A.BOBDE,J.
DATE : FEBRUARY 06, 2007

P.C.

1. The plaintiff claims that the machines purchased from the defendant were seized by the police on the ground that they are stolen. The plaintiff, therefore, claimed a refund of the price of the machines paid by the plaintiff to the defendant but has offered securities to the plaintiff by pledging the pass-book, certificate of monthly income scheme to the plaintiff. Apparently, after the originals for the pledge were submitted to the plaintiff, plaintiff has learnt that the defendant has applied to the post office to issue duplicate of documents which were kept as security with the plaintiff. Hence, this Motion

for injunction.

2. Apparently on 15.2.2006 since conciliation was under way, the plaintiff did not press for ad-interim order. However, it appears that no concrete conciliation has taken place, hence, the learned counsel for the plaintiff presses for injunction. Having regard to the uncontroverted averments made by the plaintiff, I consider it appropriate in the interest of justice to grant prayer clause (a). Order accordingly.

[S.A.BOBDE, J.]